

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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ELECTRONICALLY FILED
DOC #:
DATE FILED: DEC 05 2014

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MIGUEL CALLEJA, on behalf of himself and
all others similarly situated,

Plaintiff,

-v-

EL AGUILA LEX, LLC, EL AGUILA III, LLC,
PEDRO MATAR and FERNANDO MATAR,

Defendants.
-----X

14-cv-4453 (KBF)

ORDER

KATHERINE B. FORREST, District Judge:

On December 4, 2014, the Court was advised that the parties will be filing a stipulation of voluntary dismissal, with prejudice.

This action was brought under the FLSA and New York State labor laws. A settlement must be scrutinized by the Court to ensure that it is fair. See, e.g., Elliott v. Allstate Investigations, Inc., No. 07 Civ. 6078 (DLC), 2008 WL 728648 (S.D.N.Y. Mar. 19, 2008).

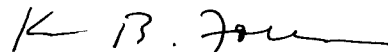
Accordingly, it is hereby ORDERED that the parties submit any proposed settlement agreement to the Court for its approval no later than **December 16, 2014**. The parties shall also on or before that date make submissions in support of their settlement, explaining why it should be approved based on the issues described in Elliott. With regard to the FLSA claim, such submissions shall provide for any plaintiff (1) the amount of unpaid overtime compensation claimed on his or

her FLSA claim; (2) the amount of the settlement consideration attributable to the FLSA claim; and (3) any weaknesses, strengths, uncertainties or other circumstances with regard to the FLSA claim, or its prosecution, that affected the corresponding portion of the settlement consideration. In addition, the submission shall (4) set forth the amount of any award of attorney's fees and the specific basis for that fee calculation (e.g., hourly rate, number of hours, and any contractual limitations on the fee award).

The status conference scheduled for Friday, December 5, 2014, is hereby
ADJOURNED.

SO ORDERED.

Dated: New York, New York
December 5, 2014



KATHERINE B. FORREST
United States District Judge